

Message Text

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PAGE 01 MONTRE 01050 261229Z
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-08 INR-10 LAB-04
NSAE-00 SIL-01 PA-02 /038 W
-----124951 270054Z /14

R 252055Z MAY 78
FM AMCONSUL MONTREAL
TO SECSTATE WASHDC 544
INFO AMEMBASSY OTTAWA
AMCONSUL QUEBEC

UNCLAS MONTREAL 1050

E.O. 11652: NA
TAGS: ELAB, CA
SUBJECT: UNION OFFICIALS GET JAIL TERMS

1. FOUR CHIEF OFFICIALS OF THE MONTREAL TRANSPORT UNION HAVE BEEN SENTENCED TO JAIL FOR PERIODS RANGING FROM 60 TO 90 DAYS ON CONTEMPT OF COURT CHARGES ARISING OUT OF STRIKE BY MONTREAL TRANSPORT MAINTENANCE WORKERS DURING SUMMER OF 1974. CHARGES STEM FROM FACT THAT TRANSPORT UNION, AN AFFILIATE OF CONFEDERATION OF NATIONAL TRADE UNIONS (CNTU), REPEATEDLY REFUSED TO OBEY BACK TO WORK INJUNCTION ISSUED AT START OF THE ILLEGAL STRIKE, WHICH PARALYZED PUBLIC TRANSPORTATION IN MONTREAL FOR 43 DAYS. IN ADDITION TO JAIL TERMS, UNION ITSELF WAS FINED DOLS 50,000, AND 23 OTHER UNION OFFICIALS WERE GIVEN FINES RANGING FROM DOLS 1000 TO DOLS 200.

2. CASE IS UNUSALY IN THAT SUPERIOR COURT CHIEF JUSTICE JULES DESCHENES, WHO SENTENCED THE UNION OFFICIALS HAD REFUSED IN 1974 TO GRANT ADDITIONAL PETITIONS FOR CONTEMPT OF COURT CITATIONS FILED BY MONTREAL URBAN COMMUNITY. AT THAT TIME, JUSTICE DESCHENES ARGUED IN REJECTING THE PETITIONS THAT THE CHARGES WERE "SOCIALLY, POLITICALLY AND JUDICALLY INOPPORTUNE IN THEIR CONCEPTION AND DANGEROUS IN THEIR CONSEQUENCES." AFTER STRIKE WAS SETTLED, FOLLOWING INTERVENTION BY QUEVEC
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PREMIER ROBERT BOURASSA, MONTREAL URBAN COMMUNITY FILED AN APPEAL AGAINST REFUSAL BY JUSTICE DESCHENES TO GRANT ADDITIONAL CONTEMPT OF COURT CITATIONS. LAST YEAR, APPEAL COURT RULED IN FAVOR OF MONTREAL URBAN COMMUNITY AND AGAINST JUSTICE DESCHENES, AND IT IS IN RESPONSE TO THIS RULING OF APPEALS COURT THAT DESCHENES HAS NOW HANDED DOWN SENTENCES.

3. WHILE JUSTICE DESCHENES HAS FOLLOWED ORDERS OF HIGH COURT, IT IS APPARENT THAT HE HAS NOT CHANGED HIS MIND SINCE REFUSING PETITIONS IN 1974. IN STATEMENT ACCOMPANYING SENTENCING, DESCHENES SAID THAT "IF THESE PENALTIES BRING ABOUT UNFORTUNATE REPERCUSSIONS, OTHERS WILL HAVE TO BEAR THE RESPONSIBILITY." THE MONTREAL TRANSPORT UNION, WHICH IS IN MIDST OF ELECTIONS, REFUSED COMMENT ON COURT'S DECISION UNTIL UNIONS NEW OFFICERS ASSUME THEIR POSITIONS. HARPER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COURT DECISIONS, LABOR UNION OFFICIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MONTRE01050
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780223-1000
Format: TEL
From: MONTREAL
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780520/aaaaaqew.tel
Line Count: 70
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b8c8ba96-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2573927
Secure: OPEN
Status: NATIVE
Subject: UNION OFFICIALS GET JAIL TERMS
TAGS: ELAB, PINT, CA
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/b8c8ba96-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014